

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ITV DIRECT, INC.,

Plaintiff,

v.

HEALTHY SOLUTIONS, LLC, et al.,

Defendants.

CIVIL ACTION NO. 04-CV-10421-JLT

RELATED CASES

**ASSENTED-TO MOTION TO EXTEND TIME FOR
ITV DIRECT, INC. TO RESPOND TO INTERVENOR-PLAINTIFF
CAPPSEALS INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Plaintiff/Intervenor-Defendant ITV Direct ("ITV") hereby moves this Court for a seven (7) day extension of time to respond to the Plaintiff-in-Intervention Cappseals, Inc.'s ("Cappseals") Motion for Partial Summary Judgment in the above-captioned action. As grounds for this motion, ITV states as follows:

1. On June 24, 2004, Cappseals filed its Motion for Partial Summary Judgment.
2. Responding to the legal and factual issues raised in the Motion for Partial Summary Judgment will require investigation and preparation of several documents, including affidavits, a counterstatement of facts and a memorandum of law.
3. The response to the Motion for Partial Summary Judgment is currently due on Friday, July 9, 2004.
4. Counsel for ITV has conferred with Cappseals' counsel, Daniel J. Kelly, and Attorney Kelly has consented to the proposed extension of time.
5. Defendant has not requested any prior extensions.

WHEREFORE, ITV respectfully requests that this Court allow its motion to extend the time in which to file its response to Cappseals' Motion for Partial Summary Judgment, up to and including Friday, July 16, 2004.

Dated: July 9, 2004

Respectfully submitted,
ITV DIRECT, INC.
By its attorney(s),

/s/ Peter S. Brooks

Peter S. Brooks, BBO #058980
Christopher F. Robertson, BBO #642094
Susan W. Gelwick, BBO #567115
SEYFARTH SHAW LLP
Two Seaport Lane, Suite 300
Boston, MA 02210-2028
Telephone: (617) 946-4800
Telecopier: (617) 946-4801